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**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

UNITED STATES OF AMERICA,

CASE NO. 1:20-CR-00041-JLT-SKO

Plaintiff,

**PRELIMINARY ORDER OF
FORFEITURE**

GARY LEE BRIGGS,

Defendant.

Based upon the guilty plea entered by defendant Gary Lee Briggs, the admission of the forfeiture allegation into the record, and the plea agreement between the United States of America and defendant Gary Lee Briggs, it is hereby ORDERED, ADJUDGED, AND DECREED as follows:

1. Pursuant to 18 U.S.C. § 2253, defendant Gary Lee Briggs' interest in the following property shall be condemned and forfeited to the United States of America, to be disposed of according to law:

a. One salmon-colored Samsung Galaxy JE7 cellular telephone seized on January 3, 2020:

b One black ZTE cellular telephone seized on January 3, 2020; and

6 One Tracfone Model 4502D2 cellular telephone seized on February 12, 2020

2. The above-listed property constitutes property that contains visual depictions produced, reported, mailed, shipped or received in violation of 18 U.S.C. § 2252(a)(2); and is property that was

1 used or intended to be used to commit and to promote the commission of the aforementioned violation.

2 3. Pursuant to Rule 32.2(b), the Attorney General (or a designee) shall be authorized to seize
3 the above-listed property. The aforementioned property shall be seized and held by Homeland Security
4 Investigations, in their secure custody and control.

5 4. a. Pursuant to 18 U.S.C. § 2253(b), incorporating 21 U.S.C. § 853(n), and Local Rule
6 171, the United States shall publish notice of the order of forfeiture. Notice of this Order and notice of
7 the Attorney General's (or a designee's) intent to dispose of the property in such manner as the Attorney
8 General may direct shall be posted for at least thirty (30) consecutive days on the official internet
9 government forfeiture site www.forfeiture.gov. The United States may also, to the extent practicable,
10 provide direct written notice to any person known to have alleged an interest in the property that is the
11 subject of the order of forfeiture as a substitute for published notice as to those persons so notified.

12 b. This notice shall state that any person, other than the defendant, asserting a legal
13 interest in the above-listed property, must file a petition with the Court within sixty (60) days from the
14 first day of publication of the Notice of Forfeiture posted on the official government forfeiture site, or
15 within thirty (30) days from receipt of direct written notice, whichever is earlier.

16 5. If a petition is timely filed, upon adjudication of all third-party interests, if any, this Court
17 will enter a Final Order of Forfeiture pursuant to 18 U.S.C. § 2253 in which all interests will be
18 addressed.

19 IT IS SO ORDERED.
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21 Dated: August 8, 2023


UNITED STATES DISTRICT JUDGE

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